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**Subject:** EPA Testimony for the BOF

Attached is the latest draft of EPA's testimony for next week's BOF meeting. It has been revised based on comments from several of you and based on very recent information made available to us from ODF regarding their riparian rule analysis results. The data from ODF identify the no-cut buffer range that will be considered (90' to 120') and proposes options for the spatial scope i.e., where the rule may apply – SSBT streams or all fish bearing streams. In our draft testimony we address the spatial scope because it is very limited. We are somewhat comfortable with the suggested buffer range.

I recognize that there is uncertainty as to whether or not EPA will be testifying at the BOF meeting next week. We are scheduled to discuss this issue with Dennis on Tuesday. However, it is important for us to be prepared with the attached testimony as we will have little time after the meeting to make revisions.

Please feel free to send me your comments.

Have a great weekend.

Alan